



1452 Rec'd PGT/PTO 19 APR 2006

PATENT  
ATTORNEY DOCKET NO.: 47233.0042

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Mitsuru MAEDA et al. ) Confirmation No.: 8952  
)  
Application No.: 10/500,334 ) Group Art Unit: 1623  
)  
Filed: December 30, 2004 ) Examiner: Traviss C. McIntosh, III  
)  
For: 2-O-( $\beta$ -D-GLUCOPYRANOSYL) ASCORBIC ACID, PROCESS FOR ITS  
PRODUCTION, AND FOODS AND COSMETICS CONTAINING COMPOSITIONS  
COMPRISING IT

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Window, MAIL STOP AMENDMENT  
Randolph Building  
Alexandria, VA 22314

Sir:

**RESPONSE TRANSMITTAL FORM**

1. Transmitted herewith is a Response to the Office Action dated April 19, 2006, responding to the Office Action of October 19, 2005.
2. Additional papers enclosed:
  - ☐ Submission of Replacement Drawing Sheets
  - ☒ Copy of PTO-1449 filed June 28, 2004
  - ☒ Seven (7) references.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input checked="" type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: \$1020.00.

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

04/24/2006 GFREY1 00000136 10500334

01 FC:1253

1020.00 00

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	23	minus	22	1	x \$50 each =	+ 50.00
Independent Claims (37 C.F.R. §1.16(b))	7	minus	6		x \$200 each =	+ 200.00
[ ] First presentation of Multiple dependent claim(s)					\$360.00	+ \$0.00
SUB-TOTAL =						250.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						250.00

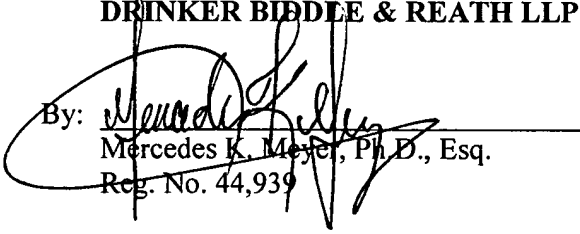
6. Fee Payment

- ☒ Enclosed is Check No. 35715 in the amount of \$1270.00.
- ☐ The Commissioner is hereby authorized to charge Deposit Account No. 50-0573 in the amount of \_\_\_\_\_.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully submitted,

**DRINKER BIDDLE & REATH LLP**

Dated: April 19, 2006

By:   
Mercedes K. Meyer, Ph.D., Esq.  
Reg. No. 44,939

**Customer No. 055694**  
**DRINKER, BIDDLE & REATH LLP**  
1500 K Street, N.W. Suite 1100  
Washington, D.C. 20005-1209  
Tel: (202) 842-8800  
Fax: (202) 842-8465

04/24/2006 GFREY1 00000138 10500334

02 FC:1615  
03 FC:1614

50.00 0P  
200.00 0P



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

PCT

## FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** \$1270.00

**METHOD OF PAYMENT** (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number **50-0573**

Deposit Account Name **Drinker Biddle & Reath LLP**

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee required under 37 CFR 1.16 and 1.17

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

#### EXTRA CLAIMS FEES FOR UTILITY AND REISSUE

Total Claims 23 -22 = 1 X 50.00=\$ 50.00

Independent Claims 7 - 6 = 1 X 200.00=\$ 200.00

Multiple Independent + 360/180 = \$0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee Code	Fee Description
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple dependent claim, if not paid
1204	200	2204	100	**Reissue independent claims over original patent
1205	50	2205	25	**Reissue claims in excess of 20 and over original patent

\*\*or number previously paid, if greater; For Reissue, see above

**SUBMITTED BY CUSTOMER NO. 55694**

Complete (if applicable)

Name (Print/Type) **Mercedes K. Meyer, Ph.D., Esq.**

Registration No. (Attorney/Agent)

**44,939**

Telephone

**202-842-8821**

Signature

Date

**April 19, 2006**

Complete if known

Application Number **10/500,334**  
Filing Date **December 30, 2004**  
First Named Inventor **Mitsuru MAEDA et al.**  
Examiner Name **Traviss C. McIntosh, III**

Art Unit **1623**

Attorney Docket No. **47233.0042**

### FEE CALCULATION (continued)

#### ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	\$
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	1020.00
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1503	1,100	2503	550	Plant issue fee	
1462	400	1462	400	Petition to the Commissioner - Group I	
1463	200	1463	200	Petition to the Commissioner - Group II	
1464	130	1464	130	Petition to the Commissioner - Group III	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					